

APR 24 2008

Application No. 10/572,853  
Amendment dated April 24, 2008  
Reply to Office Action of January 24, 2008

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Docket No.: 80246(302741)  
(PATENT)

**AMENDMENTS TO THE CLAIMS****Claims 1- 11 (Canceled)**

**Claim 12 (Currently Amended):** A fermented plant extract obtained by the method for fermentation and culture comprising: according to claim 1 fermenting a material derived from an edible plant and containing a glucide whose major component is a polysaccharide with a facultative anaerobic gram-negative bacterium which lives in a symbiotic relationship exclusively with a plant and simultaneously culturing said facultative anaerobic gram-negative bacterium.

**Claim 13 (Previously Presented):** Fermented plant extract powder obtained from the fermented plant extract according to claim 12.

**Claim 14 (Previously Presented):** A pharmaceutical containing the fermented plant extract according to claim 12.

**Claim 15 (Canceled)**

**Claim 16 (Previously Presented):** The fermented plant extract according to claim 12 exhibits physicochemical properties which are an ability of macrophage activation even with the presence of polymyxin B.

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**Claim 17 (Previously Presented):** The fermented plant extract according to claim 12 which has an immunopotential activity.

**Claim 18 (Previously Presented):** A food containing the fermented plant extract according to claim 12.

**Claim 19 (Previously Presented):** A bath agent containing the fermented plant extract according to claim 12.

**Claim 20 (Previously Presented):** A pharmaceutical containing the fermented plant extract powder according to claim 13.

**Claim 21 (Previously Presented):** A food containing the fermented plant extract powder according to claim 13.

**Claim 22 (Previously Presented):** A bath agent containing the fermented plant extract powder according to claim 13.

**Claims 23-25 (Canceled)**

**Claim 26 (Currently Amended):** A fermented plant extract obtained by the method for fermentation and culture comprising: ~~according to claim 23~~ fermenting a material derived from an edible plant and containing a glucide whose major component is a polysaccharide with a facultative anaerobic gram-negative bacterium which lives in a symbiotic relationship

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exclusively with a plant and simultaneously culturing said facultative anaerobic gram-negative bacterium; said facultative anaerobic gram-negative bacterium is bacillus belonging to the genus *Pantoea*; and said edible plant is selected from a food grain, a seaweed or a bean, and a mixture thereof.

**Claim 27 (Previously Presented):** Fermented plant extract powder obtained from the fermented plant extract according to claim 26.

**Claim 28 (Previously Presented):** A composition containing the fermented plant extract according to claim 26.

**Claim 29 (Previously Presented):** A composition containing the fermented plant extract powder according to claim 27.

**Claim 30-32 (Canceled)**

**Claim 33 (Currently Amended):** A fermented plant extract obtained by ~~the method for fermentation and culture according to claim 30~~ fermenting a material derived from an edible plant and containing a glucide whose major component is a polysaccharide with a facultative anaerobic gram-negative bacterium which lives in a symbiotic relationship with a plant and simultaneously culturing said gram-negative bacterium; said facultative anaerobic gram-negative bacterium is *Pantoea agglomerans*; and said edible plant is selected from a food grain, a seaweed or a bean, and a mixture thereof.

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**Claim 34 (Previously Presented):** Fermented plant extract powder obtained from the fermented plant extract according to claim 33.

**Claim 35 (Previously Presented):** A composition comprising the fermented plant extract according to claim 33.

**Claim 36 (Previously Presented):** A composition comprising the fermented plant extract powder according to claim 34.

**Claim 37 (Previously Presented):** A composition containing the fermented plant extract according to claim 12.

**Claim 38 (Previously Presented):** A composition containing the fermented plant extract powder according to claim 13.

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